

LEGISLATURE OF NEBRASKA  
NINETY-SEVENTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 977**

FINAL READING

Introduced by Aguilar, 35; Cunningham, 18; Kremer, 34;  
Quandahl, 31; Synowiecki, 7; Tyson, 19

Read first time January 10, 2002

Committee: Government, Military and Veterans Affairs

A BILL

- 1 FOR AN ACT relating to veterans' aid; to amend section 80-401.03,
- 2 Revised Statutes Supplement, 2000; to provide for
- 3 designees as prescribed; and to repeal the original
- 4 section.
- 5 Be it enacted by the people of the State of Nebraska,

1                   Section 1.           Section 80-401.03, Revised Statutes  
2 Supplement, 2000, is amended to read:

3                   80-401.03. The Director of Veterans' Affairs shall be  
4 responsible for the administration of the income funds from the  
5 Nebraska Veterans' Aid Fund for the aid of needy veterans and their  
6 dependents. For purposes of this section, veteran means any person  
7 who served on active duty in the armed forces of the United States,  
8 other than active duty for training, who received an honorable  
9 discharge, or its equivalent, from such service or who, being a  
10 citizen of the United States at the time of his or her entry into  
11 such service, served with the military forces of any government  
12 allied with the United States in a period of conflict pursuant to  
13 section 80-401.01 and who received an honorable discharge, or its  
14 equivalent, from such service.

15                   The director, the ~~or a deputy designated by him or her~~  
16 director, or a designee of the director shall receive and approve  
17 for payment or disapprove applications for aid which shall  
18 originate in any local post of any recognized veterans organization  
19 or with a county veterans service officer. Any person eligible for  
20 such aid shall make application for the same through such local  
21 post or county veterans service officer in the community nearest  
22 his or her place of residence. If there are two or more local  
23 posts of one or more recognized veterans organizations in any  
24 community, no claimant can originate a claim in more than one such  
25 post at any given time and a period of at least thirty days shall  
26 elapse between the filing of claims. An application shall not be  
27 deemed to be filed until it has been received and filed in the  
28 office of the Director of Veterans' Affairs. The director may

1 adopt and promulgate such rules and regulations as may be necessary  
2 for administering such aid.

3           No part of the interest accumulation of the Nebraska  
4 Veterans' Aid Fund shall be expended for the purpose of organizing  
5 and maintaining any veterans organization. There shall be expended  
6 under the direction of the director such sum or sums as may be  
7 specifically appropriated by the Legislature for the employment of  
8 necessary assistants or deputies and clerical employees at such  
9 reasonable compensation as may be fixed by the director in each  
10 particular case and for the maintenance and expenses of a state  
11 service office with necessary service officers and assistants to  
12 prepare and present meritorious cases of ex-servicemen and  
13 ex-servicewomen for benefits before the United States Department of  
14 Veterans Affairs. Such cases shall be accepted by the state  
15 service officer on behalf of any claimant when a proper power of  
16 attorney is given by such claimant to the office of the director or  
17 to a state service officer, if he or she is so designated by any  
18 recognized veterans organization as its sole representative, and  
19 regardless of where the cases originate. No part of such sum or  
20 sums is to be paid out of the twelve-million-dollar trust fund or  
21 the income therefrom. Upon the completion of the trust, the  
22 principal fund so held by the State Treasurer shall revert to the  
23 treasury of the state.

24           Sec. 2. Original section 80-401.03, Revised Statutes  
25 Supplement, 2000, is repealed.